

On June 12, 1920, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

**S219. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 21 Cans, More or Less, of Olive Oil. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 9978. I. S. No. 2521-r, S. No. W-290.)**

On March 31, 1919, the United States attorney for the District of Wyoming, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 21 cans of olive oil, remaining unsold in the original unbroken packages at Cheyenne, Wyo., consigned by A. Carbone & Co., Denver, Colo., alleging that the article had been shipped on or about August 22, 1918, and transported from the State of Colorado into the State of Wyoming, and charging adulteration and misbranding of the article in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted almost wholly of cottonseed oil, and that the quantities of the contents were less than one gallon and one-half gallon, as labeled.

Adulteration of the article was alleged in the libel in that a substance, to wit, cottonseed oil, had been mixed and packed with the olive oil contained in the article so as to reduce and lower and injuriously affect its quality and strength. Further adulteration was alleged in that a substance, to wit, cottonseed oil, had been substituted wholly or in part for olive oil.

Misbranding of the article was alleged in that the statement on the label on the can containing the article, to wit, "Olio Puro D'Oliiva Lucca Tipo Italy Garantito Prodzione," deceived and misled the purchaser in that it purported the article to be a foreign product, that is a product of Italy, whereas, in truth and in fact, it was not a product of Italy, but of the United States of America. Further misbranding was alleged in that the statements on the labels on the cans containing the article, to wit, "Net Contents One Full Gallon" and "Net Contents Full Half Gallon," were false and misleading in that they represented, respectively, that the net contents were 1 full gallon and 1 full half-gallon, whereas, in truth and in fact, the net contents, respectively, were not 1 full gallon and 1 full half-gallon, but were less in each case.

On April 29, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**S220. Adulteration and misbranding of Serv-Us Brand Evaporated Milk. U. S. \* \* \* v. Serv-Us Evaporated Milk Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 10048. I. S. No. 17577-r.)**

On July 21, 1919, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Serv-Us Evaporated Milk Co., a corporation, Belleville, Wis., alleging shipment by said defendant company, in violation of the Food and Drugs Act, on or about May 21, 1918, from the State of Wisconsin into the State of Florida, of a quantity of an article, labeled in part "Serv-us Brand Evaporated Milk," which was adulterated and misbranded.

Analysis of a sample of the article made by the Bureau of Chemistry of this department showed that it was below standard in fat and solids.

Adulteration of the article was alleged in the information for the reason that an insufficiently condensed milk product, deficient in fat and total solids, had

been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for evaporated milk which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Evaporated Milk," borne on the labels attached to the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted wholly of evaporated milk, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of evaporated milk, whereas, in truth and in fact, it did not so consist, but did consist in part of an insufficiently condensed milk product, low in fat and total solids.

On October 6, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

**8221. Misbranding of Columbia Short Stop. U. S. \* \* \* v. 2 Gross Bottles of a Drug Labeled "Columbia Short Stop." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10222. I. S. No. 16191-r. S. No. E-1371.)**

On May 13, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of an article, labeled in part "Columbia Short Stop," remaining unsold in the original unbroken packages at Tampa, Fla., consigned by the Columbia Drug Co., Savannah, Ga., alleging that the article had been shipped on or about February 18, 1919, and transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of an emulsion composed essentially of oils of sandal wood, copaiba, and turpentine, gum acacia, ethyl nitrite, alcohol, and water, scented with lavender.

Misbranding of the article was alleged in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the labels on the bottles containing, and on the cartons enclosing the article, falsely and fraudulently represented the article to be effective for gonorrhea, gleet, running range, and inflammation of the kidneys and bladder, whereas, in truth and in fact, it was not effective.

On June 4, 1919, the Columbia Drug Co., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon the payment of the costs of the proceedings and the filing of a bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

**8222. Misbranding of Columbia Short Stop. U. S. \* \* \* v. 11 Dozen Bottles of a Drug Labeled "Columbia Short Stop." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 10277. I. S. No. 16212-r. S. No. E-1406.)**

On or about May 15, 1919, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of an article, labeled in part "Columbia Short Stop," remaining unsold in the original unbroken packages at Jackson-